



3/17/05

MESSAGES FROM THE HOUSE

SB 234 (Gilbert)

SB 234 would allow the Michigan Department of Transportation, with local approval, to issue a permit to a business to sell or display goods, wares, produce, fruit, vegetables, or merchandise within the right-of-way of a state trunkline highway, if the permitted activities did not create an unsafe situation or interfere with transportation along the highway. The bill would allow "sidewalk" businesses, such as outdoor restaurants and outdoor displays of merchandise, to operate along state trunkline highways, as long as the local unit of government approves and the Michigan Department of Transportation issues a permit. Current law apparently prohibits these activities, although they are not uncommon. The issue has been discussed in the context of businesses in Port Huron, but it is a statewide issue.

Support: MDOT, MML, MTA, MAC.

- The Senate concurred with the House changes to SB 234 [RC 50: 34 yes, 0 no]. Immediate Effect was given to the bill.

FINAL PASSAGE

SB 179 (Stamas)

SB 179 would provide that a 16- or 17-year-old student could not work more than 20 hours in one week when school was in session. Currently, when school is in session, a student who is 16 or 17 may not work a combined school and work week of more than 48 hours.

- SB 179 passed [RC 54: 28 yes, 6 no].

SB 297 (Cropsey)

SB 297 would allow an individual 21 years of age or older who had been licensed to operate a motorcycle for at least two years, and who had successfully completed a motorcycle safety course, to operate a motorcycle without a crash helmet, and would create other exceptions to the mandatory helmet law. Currently, a person operating or riding on a motorcycle, and any person less than 19 years old operating a moped on a public street, must wear a crash helmet approved by the Department of State Police.

Oppose: The Michigan Sheriff's Association, Michigan Association of Insurance Agents, Insurance Institute of Michigan, Heads First, AAA of Michigan, Michigan State Medical Society, Michigan Osteopathic Association, Traffic Safety Association of Michigan, Epilepsy Foundation of Michigan, Michigan Health and Hospital Association, Michigan Nurses Association, and Michigan College of Emergency Physicians.

- Committee 1 (S-1) was adopted.
- George 1A (1 amend) was withdrawn.
- George 1B (1 amend) was defeated. Failure to wear a helmet is evidence of negligence and may be used to reduce or limit the recovery of damages by the motorcycle driver.
- Hammerstrom 1C (1 amend) was defeated.
- George 1D (1 amend) was defeated.
- Allen 1E (1 amend) was adopted. Require motorcyclists to \$10,000 security to pay for medical benefits in case of an accident.
- Hammerstrom 1F was withdrawn.
- SB 297 was moved to 3rd Reading.
- George 1 was withdrawn.
- Hammerstrom 2 was defeated [RC 51: 16 yes, 18 no]. Expansion of Allen 1E: Require motorcyclists to have \$100,000 security to pay for medical benefits in case of an accident.
- Hammerstrom 3 was withdrawn.
- George 4 was defeated [no RC]. Three-year sunset legislation and require study of impact of not requiring helmets be worn.
- SB 297 passed [RC 52: 21 yes, 13 no].

HB 4197 (LaJoy)

HB 4197 would lower the population threshold at which a township and a county road commission may enter into a contract for the preservation of the county local road system within the township; and increase the amount that a contracting road commission may pay to a contracting township for local road preservation. The bill would eliminate the county population threshold, and lower the township population threshold from 40,000 to 15,000. By lowering the population threshold and increasing the percentage of the annual total cost that counties may pay to townships, the bill would enable more townships to take on special projects within their boundaries. This would relieve county road commissions of some of the burden of maintaining many miles of pavement.

- HB 4197 passed with IE [RC 53: 34 yes, 0 no].

THIRD READING

SB 301 (Gilbert)

SB 301 would provide for a sticker or decal to indicate that the holder of the id card has designated one or more patient advocates or carries an emergency medical information card and for a heart insignia on the front of the card if the card holder has indicated their wish to participate in the organ, tissue and eye donor registry. This bill is part of a four bill package to require the Secretary of State to ask driver's license and state id holders if they would like to join the organ, tissue and eye donor registry and to keep and transmit that data electronically to our state's federally designated organ procurement organization.

- Committee 1 (S-1) was adopted.
- SB 301 was moved to 3rd Reading.

HB 4054 (BIEDA)

HB 4054 would permit local jury boards, with approval by the chief circuit court judge, to remove convicted felons from the first jury list. Currently, anyone convicted of a felony is disqualified from jury service. However, convicted felons (by virtue of possessing a driver's license or state identification card) may be chosen in the first jury list and sent a juror qualifications questionnaire. Sending convicted felons a jury qualifications questionnaire is, some believe, not necessary given that they are automatically ineligible from serving on a jury. By permitting removing convicted felons from the first jury list, the bill could potentially save counties money when mailing jury questionnaires. In addition, the bill protects against the possibility (albeit a remote one) where a convicted juror is placed on a jury panel (which could provide grounds for an appeal of a verdict). Reportedly, in rare instances, a convicted felon has made it as far as the courtroom before being dismissed.

- HB 4054 was moved to 3rd Reading. No amendments.